Todd F. Silbergeld
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EX PARTE OR LATE FILED

April 14, 1999

NOTICE OF EX PARTE PRESENTATION

Magalie Roman Salas, Esq.
Secretary
Federal Communications Commission
Portals II Building
445 Twelfth Street, SW
Washington, DC 20554

Re: *In the Matter of Applications for Transfer of Control to SBC Communications Inc. of Licenses and Authorizations Held by Ameritech Corporation, CC Docket No. 98-141*

Dear Ms. Salas:

In an ex parte notification letter filed yesterday (copy attached), I inadvertently omitted three meeting attendees from the morning session of meetings: Dr. Hal Sider, Lexecon Inc., William Randolph Smith, Esq., counsel to SBC, and Scott Feira, Esq., counsel to SBC (present for both morning and afternoon sessions).

Please contact me directly if you have any questions. In accordance with the Commission's rules concerning ex parte presentations, an original and one copy of this notice are provided herewith.

Respectfully submitted,

Todd F. Silbergeld

Attachment

cc: Mr. Atkinson
Mr. Krattenmaker
Ms. Carey
Mr. Dever
Mr. Kende
Mr. DeGraba

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April 13, 1999

STAMP & RETURN

NOTICE OF EX PARTE PRESENTATION

Magalie Roman Salas, Esq.
Secretary
Federal Communications Commission
Portals II Building
445 Twelfth Street, SW
Washington, DC 20554

Re: *In the Matter of Applications for Transfer of Control to SBC Communications Inc. of Licenses and Authorizations Held by Ameritech Corporation, CC Docket No. 98-141*

Dear Ms. Salas:

Please be advised that yesterday morning, Paul K. Mancini, General Attorney and Assistant General Counsel, SBC Communications Inc., Dr. Dennis W. Carlton, Professor of Economics at the Graduate School of Business of the University of Chicago and President of Lexecon Inc., Jeffrey Howard, counsel to SBC Communications Inc., and Richard Hetke, Counsel, Ameritech Corp., met with Robert Atkinson, Thomas Krattenmaker, Michelle Carey, Michael Kende and William Dever of the Commission's staff in connection with the above-referenced transfer of control applications. The purpose of the meeting was to discuss the "negative spillover" theory of non-price discrimination and, in particular, to discuss the theory, argument and evidence presented in Drs. Katz and Salop's Declaration on behalf of Sprint Communications Company, L.P. In addition, representatives discussed competitive conditions and Pacific Bell's outstanding performance with respect to competitive local exchange providers in California following the merger of SBC and Pacific Telesis in 1997.

Yesterday afternoon, Messrs. Mancini and Hetke with Martin E. Grambow, Vice President and General Counsel, SBC Telecommunications, Inc., Patrick J. Grant, counsel to SBC and John I. Stewart, Jr., counsel to SBC, met with Messrs. Krattenmaker, Atkinson, Dever and Patrick DeGraba to discuss the staff's regulatory benchmarking concern. SBC referred to a supplemental memorandum regarding benchmarking, which was submitted to the Commission on March 26, 1999, and also made a presentation regarding how performance measures address the benchmarking and discrimination concerns, utilizing the attached document during the presentation.

In accordance with the Commission's rules concerning ex parte presentations, an original and one copy of this notice are provided herewith.

Respectfully submitted,

Todd F. Silbergeld
Director-Federal Regulatory

Attachment

cc: Mr. Atkinson
Mr. Krattenmaker
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Mr. Dever
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Mr. DeGraba

5. Measurement

Percent Firm Order Confirmations (FOCs) Returned Within "X" Hours

Definition:

Percent of FOCs returned within a specified time frame from receipt of valid service request to return of confirmation to CLEC.

Exclusions:

- Rejected (manual and electronic) LSRs
- Orders involving major projects mutually agreed to by CLECs and SWBT.

Business Rules:

FOC business rules are established to reflect the Local Service Center (LSC) normal hours of operation, which include M-F, 8:00am-5:30pm, excluding, holiday and weekends. If the start/time is outside of normal business hours then the start date/time is set to 8:00am on the next good business day. Examples: If the start date/time is outside of normal business hours then the start date/time is set to 8:00am on the next good business day. Example: If the request is received M-F between 8:00am to 5:00pm, the valid start time will be M-F between 8:00am to 5:00pm. If the actual request is received M-Th after 5:00pm and before 8:00am next day; the valid start time will be the next business day at 8:00am. If the actual request is received Fri after 5:00pm and before 8:00am Mon; the valid start time will be at 8:00am Mon. If the request is received on a Holiday (anytime), the valid start time will be the next business day at 8:00am. The returned confirmation to the CLEC will establish the actual end date/time. Provisions are established within the DSS reporting systems to accommodate situations when the LSC works holidays, weekends and when requests are received outside normal working hours. For UNE Loop and Port combinations, orders requiring N, C, and D orders, the FOC is sent back at the time the C order is distributed.

LEX/EDI

For LEX and EDI originated LSR's, the start date and time is the receive date and time that is automatically populated by the interface (EDI or LEX) with the system date / time on the SM-FID once all ordering edits are satisfied and the service order has a distribution date and time in SORD. The end date and time is recorded by both LEX and EDI and reflect the actual date and time the FOC is returned to the CLEC. This data is extracted daily from LEX and EDI and passed to the DSS (Decision Support System) where the end date and time are populated and used to calculate the FOC measurements. For LSR's where FOC times are negotiated with the CLEC the ITRAK entry on the SORD service order is used in the calculation. The request type from the LSR and the Class of Service tables are used to report the LSR's in the various levels of disaggregation. The Class of Service tables are based on the Universal Service Order practice.

VERBAL or MANUAL REQUESTS

Manual service order requests are those initiated by the CLEC either by telephone or FAX. The receive date and times are recorded and input on the SM-FID on each service order in SORD for each FOC opportunity. The end times are the actual dates and times the paper FAX's are sent back to the CLEC. FAX end times are recorded and input into our DSS systems via an internal WEB application. Each FOC opportunity is dynamically established on the WEB application via our interface to SORD and the LSC must provide an end date and time for each entry, which depicts the date and time the FOC was actually faxed back to the CLEC. If a CLEC elects to accept an on-line FOC and does not require a paper FAX the FOC information is provided over the phone. In these instances the order distribution time is used in the FOC calculation on the related SORD service order to the appropriate SM-FID entry. These scenarios are identified by data populated on the ITRAK-FID of the service order. The ITRAK-FID is also used when FOC times are negotiated with the CLEC. The LSC will populate the ITRAK-FID with certain pre-established data entries that are used in the FOC calculation.

Levels of Disaggregation:

Manually submitted:

- Simple Res. And Bus. < 24 Hours
- Complex Business (1-200 Lines) < 48 Hours
- Complex Business (>200 Lines) < Negotiated
- UNE Loop (1-49 Loops) < 24 Hours
- UNE Loop (> 50 Loops) < 48 Hours
- Switch Ports < 24 Hours

Electronically submitted via LEX or EDI:

- Simple Res. And Bus. < 5 Hours
- Complex Business (1-200 Lines) < 48 Hours
- Complex Business (>200 Lines) < Negotiated
- UNE Loop (1-49 Loops) < 5 Hours
- UNE Loop (> 50 Loops) < 48 Hours
- Switch Ports < 5 Hours

Calculation:	Report Structure:
(# FOCs returned within "x" hours ÷ total FOCs sent) * 100	Reported for CLEC and all CLECs.

Benchmark:

Simple Res & Bus 95% / Complex Bus 94% / UNE Loop (1-49) 95% / UNE Loop (>50) 94% / Switch Ports 95%

Provisioning

27. Measurement	
Mean Installation Interval	
Definition:	
Average business days from application date to completion date.	
Exclusions:	
• Excludes customer caused misses • Field Work orders – excludes customer requested due dates greater than 5 business days • No Field Work orders – excluded if order applied for before 3:00pm; and the due date requested is not same day; and if order applied for after 3:00pm; and the due date requested is beyond the next business day • Excludes all orders except N, T, and C orders • Excludes Weekends and Holidays	
Business Rules:	
The clock starts on the Application Date, which is the day that SWBT receives a correct Service Order. The clock stops on the Completion Date that is the day that SWBT personnel complete the service order activity. Orders are included in the month they are completed. There are 2 types of orders in the measurement. Same Day Due orders (defined as distribution time EQUAL or BEFORE 3:00pm and Application Date = Distribution Date = Due Date. Next Day Due orders (defined as distribution time AFTER 3:00pm and Application Date = Distribution Date and Due Date is 1 business day after Application Date. If the order is Same Day Due, then (Completion – Application Date), if the order is Next Day Due, then ((Completion – Next Business Day) + 1). UNE COMBOs, are reported at order level.	
Levels of Disaggregation:	
POTS • Field Work (FW) • No Field Work (NFW) • Business class of service • Residence class of service UNE Combo • Field Work (FW) • No Field Work (NFW)	
Calculation:	**Report Structure:**
[Σ(completion date – application date)]/(Total number of orders completed)	Reported for CLEC, all CLECs and SWBT

Benchmark:
Resale POTS parity between field work compared to SWBT field work (all order types) and no field work compared to SWBT retail no field work (all order types). UNE Combo Parity between field work compared to SWBT field work (all order types) and no field work compared to SWBT retail no field work. (N orders)

29. Measurement

Percent SWBT Caused Missed Due Dates

Definition:

Percent of N,T,C orders where installation was not completed by the due date.

Exclusions:

- Excludes customer caused misses
- Excludes orders that are not N, T, or C

Business Rules:

The Due Date is the negotiated date by the customer and the SWBT representative for service activation. For CLEC orders, the due date is the due date reflected on the FOC. The Completion Date is the day that SWBT personnel complete the service order activity.

On UNE COMBOs the source is WFA (Work Force Administration) and is at an item or circuit level.

Levels of Disaggregation:

POTS

- Field Work (FW)
- No Field Work (NFW)
- Business class of service
- Residence class of service

UNE Combo

- Field Work (FW)
- No Field Work (NFW)

Calculation:	Report Structure:
(Count of N,T,C orders not completed by the due date ÷ total number of orders) * 100	Reported for CLEC, all CLECs and SWBT

Benchmark:

Resale POTS parity between field work compared to SWBT field work (all order types) and no field work compared to SWBT retail no field work (all order types).

UNE Combo Parity between field work compared to SWBT field work (all order types) and no field work compared to SWBT retail no field work. (all order types)

38. Measurement

Percent Missed Repair Commitments

Definition:

Percent of trouble reports not cleared by the commitment time.

Exclusions:

- Excludes all disposition code "13" reports (excludable reports)

Business Rules:

The negotiated commitment date and time is established when the repair report is received. The cleared time is the date and time that SWBT personnel clear the repair activity and complete the trouble report. If this is after the Commitment time, the report is flagged as a 'Missed Commitment'.

Levels of Disaggregation:

POTS

- Business class of service
- Residence class of service
- Dispatch
- No Dispatch

UNE Combo

- Dispatch
- No Dispatch

Calculation:	Report Structure:
(Count of trouble reports not cleared by the commitment time ÷ total trouble reports) * 100	Reported for CLEC, all CLECs and SWBT

Benchmark:

POTS – Parity between SWBT retail and CLEC.
UNE Combo – Parity between CELC and SWBT Business and Residence combined.

39. Measurement

Receipt To Clear Duration

Definition:

Average duration of customer trouble reports from the receipt of the customer trouble report to the time the trouble report is cleared.

Exclusions:

- Excludes subsequent reports. A subsequent report is one that is received while an existing repair report is open.
- Excludes disposition code "13" reports (excludable reports)

Business Rules:

The clock starts on the date and time SWBT receives a trouble report. The clock stops on the date and time that SWBT personnel clear the repair activity and complete the trouble report in WFA.

Levels of Disaggregation:

POTS

- Business class of service
- Residence class of service
- Dispatch
- No Dispatch

UNE Combo

- Dispatch
- No Dispatch

Calculation:	Report Structure:
Σ[(Date and time ticket is cleared with customer) - (Date and time ticket received)] ÷ Total customer trouble reports	Reported for POTS Resale trouble reports by CLEC, all CLECs and SWBT

Benchmark:

POTS – Parity between SWBT retail and CLEC.
UNE Combo – Parity between CELC and SWBT Business and Residence combined.